

Office of the Governor

May 8, 1967

Governor Connally vetoed Senate Bill No. 290, creating Board of Regents, West Texas State University and transferring control of West Texas State University to said board. The text of the message follows:

I disapprove and veto Senate Bill 290 for the following reasons:

In a message to the Legislature on January 27, 1965, I said that "... proliferation of governing boards is retarding the development of a coordinated state system of higher education designed to achieve excellence. ..."

My view of this matter has not changed. No data have been presented which alter my conviction that we now have too many governing boards, not too few, for our colleges and universities.

Senate Bill 290 would remove West Texas State University from the jurisdiction of the Board of Regents, State Senior Colleges, and place the institution under the management of a new and separate Board.

Senate Bill 290 is not designed to offer the hope for unity, promise of order, and move toward quality which must guide our legislative effort in behalf of Texas higher education.

Our twenty-two State senior colleges and universities are now governed by twelve separate boards. Senate Bill 290 would add a thirteenth and would establish a clear precedent for further division and disunity.

House Bill No. 1, 59th Legislature, Regular Session, 1965(codified as Article 2919e-2, Vernon's Annotated Civil Statutes of Texas) established the Coordinating Board, Texas College and University System, as an agency"... to provide leadership and coordination for the Texas higher education system, institution and governing boards, to the end that the State of Texas may achieve excellence for college education of its youth. ..."

Senate Bill 290 is at variance with this basic goal of the Higher Education Coordinating Act of 1965.

Section 5 of Senate Bill 290 provides that "the scope of work and activities" of West Texas State University under a separate Board of Regents may be"... increased or diminished, altered or changed in any manner deemed by the new Governing Board to be conducive to the betterment of the services offered, or which may be offered. ...". This language may inadvertently exempt West Texas State University from coordination by the Coordinating Board, Texas College and University System. According to Attorney General's Opinion V-990 dated January 26, 1950, the latest expression of legislative will governs when two statutes are in conflict, regardless of their effective dates.

Accordingly, I herewith veto and return Senate Bill 290.

May 19, 1967

Governor Connally vetoed Senate Bill Number 517, Amending Section 10 of the "Lower Colorado River Authority Act, " relating to operations and bonding of the Authority. The text of the message follows:

I disapprove and veto Senate Bill Number 517. The body of this bill does not conform to the caption and; under our Constitution and authorities, this destroys its effectiveness as a law.

Although I am not opposed to the apparent intent of Senate Bill Number 517, the caption states that the bill increases the aggregate principal amount of bonds which the District may issue. However the body of the bill contains no such increase. Thus this caption is misleading and under the Constitution, Article 3, Section 35, as construed by the Supreme Court in State v. Praetorians, 186 SW2d973, the bill must fail.

Accordingly, I herewith veto and return Senate Bill Number 517.

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